

JUL 20 2004

OFFICIAL

Docket No. 2324-7028US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kaus Mosbach, et al.

Group Art Unit: 1641

Serial No.: 09/305,738

Examiner: M. Ceperley

Filed: May 6, 1999

For: ARTIFICIAL ANTIBODIES, METHOD OF PRODUCING THE SAME AND USE THEREOF

PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. § 1.136(a))Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. This is a petition for an extension of time for filing a Request for Continued Examination (RCE).
2. The communication in connection with the matter for which this extension is requested
 - ☒ is filed herewith.
 - ☐ has been filed on _____.
3. ☐ Applicant(s) is/are entitled to Small Entity Status.
 - ☐ Statement has already been filed
4.

	<u>Total Months Requested</u>	<u>Fee for Other than Small Entity</u>	<u>Fee for Small Entity</u>
a. <input type="checkbox"/> one month		\$110.00	\$55.00
b. <input type="checkbox"/> two months		\$420.00	\$210.00
c. <input checked="" type="checkbox"/> three months		\$950.00	\$475.00
d. <input type="checkbox"/> four months		\$1,480.00	\$740.00
e. <input type="checkbox"/> five months		\$2,010.00	\$1,005.00
f. <input type="checkbox"/> An extension for _____ months has already been secured for filing the above-identified communication and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested. The fee for this extension (\$_____), minus the fee previously paid (\$_____) equals \$_____ (total fee due).			
5. ☐ A check in the amount of \$_____ to cover the extension fee is attached.

FEE ONLY

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application No.	09/305,738
Filing Date	May 6, 1999
First Named Inventor	Klaus Mosbach, et al.
Group Art Unit	1641
Examiner Name	M. Ceperley
Any Docket No.	2324-7028US1

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

NOTE: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicants may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission under 37 C.F.R. §1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____.
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____.
- iii. ☐ Other:
- b. Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. Other: Petition & Fee for Extension of Time; Amendment Fee Transmittal, Certificate of Facsimile.

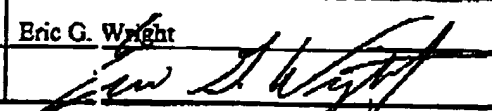
2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. Other:

3. **Fees**

- The RCE fee under C.F.R. §1.17(c) is required by 37 C.F.R. §1.114 when the RCE is filed
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-4500, order no. 2324-7028US1.
- i. ☒ RCE fee required under 37 C.F.R. §1.17(c)
- ii. ☐ Extension of time fee (37 C.F.R. §§1.136 and 1.17)
- iii. ☒ Other Charge Fee to Deposit Account No. 13-4503, Order No. 2324-7028US1. A DUPLICATE OF THIS SHEET IS ATTACHED.
- b. ☐ A check in the amount of \$_____ is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Eric G. Wright	Reg. No. (Atty/Agent)	48,045
Signature		Date	July 20, 2004

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Docket No.: 2324-7028US1**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

MOSBACH, et al.

Art Unit: 1641

Serial No. : 09/305,738

Examiner: CEPERLEY, M

Filed : May 6, 1999

For : ARTIFICIAL ANTIBODIES, METHOD OF PRODUCING THE SAME AND
USE THEREOF**AMENDMENT AND REQUEST FOR RECONSIDERATION**Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby file this Amendment And Request For Reconsideration in response to the Office Action dated January 20, 2004. Applicants herewith file a Request For Continued Examination (RCE) and a Petition and Fee For Extension of Time extending the due date for this response to July 20, 2004. An amendment Fee Transmittal is also filed herewith. Applicants respectfully request entry of this Amendment and reconsideration of this application in view of the following amendments and remarks. For the Examiner's convenience:

- Amendments to the claims are reflected in the listing of claims beginning on page 2 of this paper; and
- Remarks/Arguments begin on page 12 of this paper.

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FEE ONLY

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04 FD:1202 152.00 DA